WPSB_1019_2002

Hon. P.C. Verma, J.
Hon. Irshad Hussain,J.

Heard Sri R.Dobhal, learned counsel for the petitioner and the learned C. S. C.

The petitioner was appointed as trainee instructor in the Industrial Training Institute, Uttarkashi pursuant to the Government Order dated 24.11.2001. He was to continue upto 31.07.2002. It was a tenure appointment. By the impugned order dated 18.07.2002, the appointment of the petitioner was cancelled on the ground that the caste status certificate submitted by the petitioner was from Tahsil Chakrata, District Dehradun while domicile certificate was from District Uttarkashi and,therefore, reasonable doubt was there as to which district the petitioner belongs. However, prima facie the order is punitive as before cancelling his appointment opportunity ought to have been given to the petitioner. Thefore, the impugned cancellation order order is set aside.

Since the service of the petitioner has come to an end on 31.7.2002 and the petitioner was in tenure appointment, no relief can be granted to the petitioner. However, if the work and post is available, the petitioner may apply afresh.

The petition is disposed of accordingly.

(P.C. Verma, J.) **(Irshad Hussain,J.)**

Dt. 07.08.2002
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